

**3 PAGES**

CHRISTIAN L. RAISNER, Bar No. 133839  
YURI Y. GOTTESMAN, Bar No. 264924  
WEINBERG, ROGER & ROSENFELD  
A Professional Corporation  
1001 Marina Village Parkway, Suite 200  
Alameda, California 94501-1091  
Telephone 510.337.1001  
Fax 510.337.1023

Attorneys for Creditor  
The Bakery, Confectionery, Tobacco Workers  
Union Local No. 85 and Teamsters Local 324

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
(SACRAMENTO DIVISION)

In re	)	Lead Case No. 10-39672 (MSM)
	)	
MATTERHORN GROUP, INC.,	)	(Jointly Administered with Nos. 10-39664
	)	(MSM) and 10-39670 (MSM)
Debtor.	)	
	)	DC No. LNB-17
	)	
	)	Chapter 11 Case
VITAFREZE FROZEN CONFECTIONS, INC.,	)	
	)	
Debtor.	)	<b>DECLARATION OF EMILY P. RICH IN</b>
	)	<b>SUPPORT OF UNIONS' JOINT TO</b>
	)	<b>WITHDRAW THE REFERENCE OF</b>
	)	<b>DEBTORS' MOTION TO MODIFY OR</b>
	)	<b>REJECT COLLECTIVE BARGAINING</b>
DELUXE ICE CREAM COMPANY,	)	<b>AGREEMENTS WITH THE BAKERY,</b>
	)	<b>CONFECTIONERY, TOBACCO</b>
Debtor.	)	<b>WORKERS AND GRAIN MILLERS'</b>
	)	<b>INTERNATIONAL UNION LOCAL NO. 85</b>
	)	<b>AND GENERAL TEAMSTERS LOCAL 324</b>
	)	<b>28 U.S.C. § 157(d)</b>
<input checked="" type="checkbox"/> Affects ALL DEBTORS	)	
<input type="checkbox"/> Affects only MATTERHORN GROUPS, INC.	)	DATE:
<input type="checkbox"/> Affects only VITAFREZE FROZEN CONFECTIONS, INC.	)	TIME:
<input type="checkbox"/> Affects only DELUXE ICE CREAM COMPANY	)	PLACE: U. S. District Court
	)	501 "I" Street
	)	Sacramento, CA 95814
	)	
	)	Judge:

CHRISTIAN L. RAISNER, Bar No. 133839  
EMILY P. RICH, Bar No. 168735  
WEINBERG, ROGER & ROSENFELD  
A Professional Corporation  
1001 Marina Village Parkway, Suite 200  
Alameda, California 94501-1091  
Telephone: 510.337.1001  
Facsimile: 510.337.1023  
E-mail: craisner@unioncounsel.net  
erich@unioncounsel.net  
courtnotices@unioncounsel.net

Attorneys for Movants  
The Bakery, Confectionery, Tobacco Workers  
Union Local No. 85 and Teamsters Local 324

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA (SACRAMENTO DIVISION)

In re	) Case No.
	)
MATTERHORN GROUP, INC.,	) Bankruptcy Lead Case No. 10-39672 (MSM)
	) (Jointly Administered with
Debtor.	) Nos. 10-39664 (MSM) and 10-39670 (MSM)
	)
VITAFREZE FROZEN CONFECTIONS, INC.,	) Chapter 11 Case
	)
Debtor.	) <b>DECLARATION OF EMILY P. RICH IN</b>
	) <b>SUPPORT OF UNIONS' JOINT MOTION</b>
	) <b>TO WITHDRAW THE REFERENCE OF</b>
	) <b>DEBTORS' MOTION TO MODIFY OR</b>
	) <b>REJECT COLLECTIVE BARGAINING</b>
	) <b>AGREEMENTS WITH THE BAKERY,</b>
	) <b>CONFECTIONERY, TOBACCO</b>
	) <b>WORKERS AND GRAIN MILLERS'</b>
	) <b>INTERNATIONAL UNION LOCAL NO. 85</b>
	) <b>AND GENERAL TEAMSTERS LOCAL 324</b>
	) <b>28 U.S.C. § 157(d)</b>
	)
	)
DELUXE ICE CREAM COMPANY,	) DATE: TBA
	) TIME: TBA
	) DEPT: TBA
Debtor.	) PLACE: 501 "I" Street
	) Sacramento, CA 95814

- ☒ Affects ALL DEBTORS  
☐ Affects only MATTERHORN GROUPS, INC.  
☐ Affects only VITAFREZE FORZEN  
CONFECTIONS, INC.  
☐ Affects only DELUXE ICE CREAM COMPANY

Judge:

1 I, EMILY P. RICH, declare that:

2 1. I am a shareholder with the law firm of Weinberg, Roger & Rosenfeld and one of  
3 the attorneys of record for Attorneys for Creditors for The Bakery, Confectionery, Tobacco  
4 Workers And Grain Millers' International Union Local No. 85 And Teamsters Local 324. I make  
5 this declaration in support of the Unions' Joint Motion To Withdraw The Reference Of Debtors'  
6 Motion To Modify Or Reject Collective Bargaining Agreements With The Bakery, Confectionery,  
7 Tobacco Workers And Grain Millers' International Union Local No. 85 And General Teamsters  
8 Local 324.

9 2. I am familiar with the matters set forth herein, and, if called as a witness, I could  
10 and would competently testify thereto.

11 3. Attached hereto as Exhibit 1 is a true and correct copy of Memorandum Of Points  
12 And Authorities In Support Debtors' Motion To Modify Or Reject Collective Bargaining  
13 Agreements with the Bakery, Confectionery, Tobacco Workers And Grain Millers' International  
14 Union, AFL-CIO Local No. 85 And General Teamsters Local 324 filed in the bankruptcy court  
15 (Lead Case No. 10-39672 (MSM)) on October 11, 2010.

16 4. Attached hereto as Exhibit 2 is a true and correct copy of the Exhibits to Debtors'  
17 Motion To Modify Or Reject Collective Bargaining Agreements with the Bakery, Confectionery,  
18 Tobacco Workers And Grain Millers' International Union, AFL-CIO Local No. 85 And General  
19 Teamsters Local 324 filed in the bankruptcy court (Lead Case No. 10-39672 (MSM)) on October  
20 11, 2010.

21 5. Attached hereto as Exhibit 3 is a true and correct copy of Memorandum Of Points  
22 And Authorities In Support Of The Bakery, Confectionery, Tobacco Workers And Grain Millers'  
23 International Union Local No. 85 And Teamsters Local 324's Joint Opposition To Debtors'  
24 Motion To Modify Or Reject Collective Bargaining Agreements filed in the bankruptcy court  
25 (Lead Case No. 10-39672 (MSM)) on October 18, 2010.

26 6. Attached hereto as Exhibit 4 is a true and correct copy of the Declaration Of Yuri Y.  
27 Gottesman In Opposition To Debtors' Motion To Modify Or Reject Collective Bargaining  
28 Agreements and Exhibits A-L thereto, filed in the bankruptcy court (Lead Case No. 10-39672

1 (MSM)) on October 18, 2010.

2 Executed under penalty of perjury, this 19th of October 2010 at Alameda, California.

3  
4 /s/ EMILY P. RICH  
5 EMILY P. RICH  
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